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PTO/SB/21 (07-06) Approved for use through 09/30/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/730.352 TRANSMITTAL Filing Date December 8, 2003 First Named Inventor **FORM** Devin Ian Fitzmaurice Art Unit Examiner Name Raeann Gordon (to be used for all correspondence after initial filing) Attorney Docket Number 102782-00002 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request Response to Notice of Drawing Inconsistency Request for Refund Express Abandonment Request with Specifications (4 pgs.) Itemized Postcard Receipt CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Customer Number 26511 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Higgs, Fletcher & Mack, LLP Signature Printed name Charles F. Reidelbach, Jr. Date Reg. No. August 18, 2006 36.649 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date August 18, 2006 Susan R. Telford Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Devin Ian Fitzmaurice

Serial No.:

10/730,352

Filed:

December 8, 2003

Attorney Docket No.: 102782-00002

For: APPARATUS AND METHOD FOR

MANIPULATING A BALL

Group Art Unit: 3711

Examiner:

Gordon, Raeann

CERTIFICATE OF TRANSMISSION/MAILING

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RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATIONS

Dear Sir:

In response to the Notice of Drawing Inconsistency with Specifications mailed July 18, 2006, Applicant provides the following: